

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:08cr00343-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
REGINALD J. LONGINO,)	
)	
Defendant.)	

This matter came before the Court on June 2, 2011, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of his supervised release. The defendant was present and represented by Attorney Edward Bryan.

The initial violation report was referred to United States Magistrate Judge Kenneth S. McHargh who conducted a final hearing on May 16, 2011, at which time defendant admitted to the violations set forth in the report. A Report and Recommendation was issued on May 18, 2011. No written objections to the Report and Recommendation were filed but this Court heard statements from counsel for both sides with regard to the sentence to be imposed as well as a statement from defendant. The Court found that defendant had violated the conditions of his supervised release as follows:

- 1) drug use on March 11 and April 12, 2011;

- 2) failure to submit to drug testing;
- 3) failure to attend drug aftercare;
- 4) law violation on January 9, 2011;
- 5) failure to report arrest of January 9, 2011, as required;
- 6) law violation on April 5, 2011;
- 7) failure to report arrest of April 5, 2011, as required;
- 8) law violation on April 12, 2011;
- 9) failure to report arrest of April 12, 2011, as required.

The Court, after considering the guideline calculation, found defendant's most serious violation to be a Grade C and defendant's Criminal History Category to be V and placing him in a recommended imprisonment range of 7 to 13 months. The Court noted defendant's apparent disregard for supervision as a whole and defendant's repeated violations after being noticed of the need to comply. The Court further noted defendant's numerous adult convictions as well as a large number of serious juvenile offenses, including some serious sexual matters, and again indicated defendant's drug dependency to be a major factor in the problems he has experienced.

Therefore, after considering all the factors in Section 3553 including disparity issues and otherwise, the defendant is committed to the Bureau of Prisons for a period of 12 months and 1 day and is granted credit for time served in federal custody on the instant violations. Upon release from incarceration defendant shall serve a 2 year period of supervised release under the conditions originally imposed and shall be considered for participation in the Court's re-entry program.

The Court makes a recommendation that defendant serve his period of incarceration at FCI Morgantown and that he participate in a substance abuse treatment program while

incarcerated.

The defendant is remanded to the custody of the U.S. Marshal, Cleveland, Ohio.

Dated: June 2, 2011

s/ *James S. Gwin*

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE